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OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

FIFTY-SECOND LEGISLATIVE DAY
WEDNESDAY, MARCH 2, 2016

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Schmidt, absent and formally excused by the Chair; and Senators Brackett and Davis, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Kennedy Jones, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 1, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Brackett was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 2, 2016

The JUDICIARY AND RULES Committee reports that [S 1373](#), [S 1374](#), and [S 1375](#) have been correctly printed.

LODGE, Chairman

[S 1373](#), [S 1374](#), and [S 1375](#) were referred to the Judiciary and Rules Committee.

March 1, 2016

The HEALTH AND WELFARE Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

John H. Tippets as the Director of the Department of Environmental Quality, term to continue at the pleasure of the Governor.

John Randolph MacMillan to the Board of Environmental Quality, term to expire July 1, 2019.

Kevin C. Boling to the Board of Environmental Quality, term to expire July 1, 2019.

L.N. Nick Purdy to the Board of Environmental Quality, term to expire July 1, 2019.

HEIDER, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 1, 2016

The EDUCATION Committee reports out [H 458](#) and [S 1332](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MORTIMER, Chairman

There being no objection, [H 458](#) and [S 1332](#) were referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 1, 2016

Dear Mr. President:

I transmit herewith [H 503](#), [H 480](#), [H 482](#), [H 483](#), [HCR 47](#), and [H 516](#), which have passed the House.

TAYLOR, Assistant Chief Clerk

[H 503](#), [H 480](#), [H 482](#), [H 483](#), [HCR 47](#), and [H 516](#) were filed for first reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 503](#), by Judiciary, Rules, and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 480](#) and [H 482](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 483](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[HCR 47](#), by Health and Welfare Committee, was introduced, read at length, and referred to the Health and Welfare Committee.

[H 516](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1301](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1302](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading, Consent Calendar.

[H 381](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 471](#) and [H 472](#), by Transportation and Defense Committee, were read the second time at length and filed for third reading.

[H 332](#), [H 333](#), and [H 334](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 396](#) and [H 397](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 441](#), by Business Committee, was read the second time at length and filed for third reading.

[S 1359](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 532](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1363](#), [S 1364](#), [S 1365](#), [S 1366](#), [S 1367](#), [S 1368](#), [S 1369](#), [S 1370](#), [S 1371](#), and [S 1372](#), by Finance Committee, were read the second time at length and filed for third reading.

[S 1342](#), as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1293](#), as amended, by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1260](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1260](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 461](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [H 461](#) passed, title was approved, and the bill ordered returned to the House.

[S 1345](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1345](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1346](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1346](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1336](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1336](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1325](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1325](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1274](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1274](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1275](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1275](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1353](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1353](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1330](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1330](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Burgoyne, granted by unanimous consent, [S 1256](#), as amended, retained its place on the Third Reading Calendar for one legislative day.

[S 1297](#), as amended, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1297](#), as amended, as amended, passed, title was approved, and the bill ordered transmitted to the House.

[S 1322](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1322](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1326](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1326](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1269](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1269](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1272](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Winder disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Schmidt. Total - 1.

Total - 35.

Whereupon the President declared [S 1272](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [S 1256](#), as amended, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 10:30 a.m., Thursday, March 3, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary